

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA**

MICHAEL GLASGO, individually, and on behalf of others similarly situated,	)	<b><u>CLASS ACTION</u></b>
	)	
<i>Plaintiff,</i>	)	<b><u>JURY TRIAL DEMANDED</u></b>
	)	
v.	)	Case No. 8:19-cv-00097-VMC-AAS
	)	
UBER TECHNOLOGIES, INC., a Delaware corporation,	)	
	)	
<i>Defendant.</i>	)	
_____	/	

**DEFENDANT’S RESPONSES TO COURT’S INTERROGATORIES TO  
DEFENDANT**

Defendant Uber Technologies, Inc. (“Uber”) hereby responds to the Court’s Interrogatories dated January 24, 2019 [ECF No. 6] concerning the individual claims of Plaintiff Michael Glasgo and the text messages that he allegedly received.

(1) How many telephone calls, letters or other mailings, or facsimiles do your records show as being made or sent during the time period alleged by Plaintiff?

**RESPONSE:** Uber’s records indicate that Plaintiff was sent 60 text messages with the “verification codes” at issue in this action during the alleged time period.

(2) If telephone calls are at issue, were the calls made by an automatic dialer?

**RESPONSE:** Uber objects to the term “automatic dialer” as vague and ambiguous. Subject to and without waiving its objections, Uber disputes that the text messages at issue in this case were sent with a device or system that meets the legal definition of an automatic telephone dialing system under the Telephone Consumer Protection Act, 47 U.S.C. § 227(a)(1).

(3) If telephone calls are at issue, was a prerecorded voice used?

**RESPONSE:** No telephone calls using a prerecorded voice are at issue in this action.

(4) Did you ever receive documented prior consent to contact Plaintiff?

**RESPONSE:** Yes. Plaintiff voluntarily provided his cellular telephone number (the same cellular telephone ending in 4022 identified in his Complaint) to Uber when he created an Uber account and also explicitly requested that communications regarding resetting his Uber account password be sent to that cellular telephone number.

(5) Did you ever receive documented revocation of a consent to contact Plaintiff?

**RESPONSE:** Plaintiff alleges that he revoked consent by sending “stop” text messages to Uber. Although Uber’s records indicate that Plaintiff sent “stop” text messages, Uber’s records also indicate that subsequent consent to send the verification texts at issue was provided through the account login process that triggered the texts.

(6) Before the Complaint was filed, were you ever placed on notice that Plaintiff had retained counsel with respect to the debt alleged to be at issue in the Complaint?

**RESPONSE:** No.

(7) What is your capacity with respect to the debt alleged to be at issue in the Complaint? For example, are you the owner of a note, a servicer, or both?

**RESPONSE:** There is no debt alleged to be at issue in the Complaint.

Dated: April 17, 2019

Respectfully submitted

/s/ Edward M. Mullins

Edward M. Mullins, Esq. (FBN 863920)

emullins@reedsmith.com

Brandon T. White, Esq. (FBN 106792)

bwhite@reedsmith.com

**REED SMITH LLP**

1001 Brickell Bay Drive, Suite 900

Miami, Florida 33131

Telephone: (786) 747-0200

Tiffany Cheung, Esq. \*  
TCheung@mofo.com  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, CA 94105-2482  
Telephone: 415.268-7000

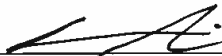
Adam J. Hunt, Esq. \*  
Adam.Hunt@mofo.com  
MORRISON & FOERSTER LLP  
250 W. 55<sup>th</sup> Street  
New York, NY 10019-9601  
Telephone: (212) 336-4341

*\*Admitted Pro Hac Vice*

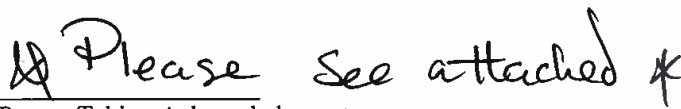
Attorneys for Defendant  
UBER TECHNOLOGIES, INC.

STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

BEFORE ME, the undersigned authority, on this day, personally appeared SCOTT ATKINSON, Senior eDiscovery Analyst at Uber Technologies, Inc., who being first duly sworn, and X who is personally known to me or \_\_\_\_\_ who produced \_\_\_\_\_ as identification, deposes and says that he/she has read the foregoing Answers to Interrogatories, knows the contents of same, and to the best of his/her knowledge and belief, the same are true and correct.

  
\_\_\_\_\_  
Scott Atkinson, Senior eDiscovery Analyst  
Uber Technologies, Inc.

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
NOTARY PUBLIC

  
\_\_\_\_\_  
Signature of Person Taking Acknowledgment

Notary Stamp Print Name:

Title: Notary Public

Serial No. (if any):

Commission Expires:

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

- ☒ See Attached Document (Notary to cross out lines 1–6 below)  
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)

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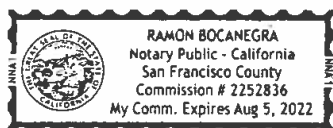
Signature of Document Signer No. 1 \_\_\_\_\_ Signature of Document Signer No. 2 (if any) \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
 County of San Francisco

Subscribed and sworn to (or affirmed) before me  
 on this 16 day of April, 2019.  
 by \_\_\_\_\_  
 (1) Scott Atkinson  
 (and (2) \_\_\_\_\_),  
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence  
 to be the person(s) who appeared before me.



Signature \_\_\_\_\_  
 Signature of Notary Public

Seal  
 Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
 Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed via electronic filing using the CM/ECF system with the Clerk of the Court on April 17, 2019, which sent e-mail notification of such filing to all CM/ECF participants.

/s/ Edward M. Mullins

Edward M. Mullins, Esq.